

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	No. 15-01438
)	
MILAGROS PALLADINO,)	Chapter 7
)	
Debtor.)	Honorable Jacqueline P. Cox
)	
)	Hearing Date: June 15, 2017
)	Hearing Time: 9:30 a.m.
)	Room No.: 680

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT on **June 15, 2017**, at **9:30 a.m.**, we shall appear before the Honorable Jacqueline P. Cox, or such other judge as may be sitting in her stead, in Courtroom 680 at the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois 60604, and present the attached FIRST AND FINAL FEE APPLICATION OF FRANKGECKER LLP AS COUNSEL TO FRANCES GECKER, CHAPTER 7 TRUSTEE OF THE BANKRUPTCY ESTATE OF MILAGROS PALLADINO FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES.

Dated: May 15, 2017

Respectfully submitted,

By: /s/ Frances Gecker
Frances Gecker, Chapter 7 Trustee

Frances Gecker (IL ARDC #6198450)
FRANKGECKER LLP
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**IN THE UNITED STATES BANKRUPTCY COURT
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In re:) No. 15-01438
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MILAGROS PALLADINO,) Chapter 7
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Debtor.) Honorable Jacqueline P. Cox

**COVER SHEET FOR FIRST AND FINAL APPLICATION OF
FRANKGECKER LLP FOR ALLOWANCE OF COMPENSATION AND EXPENSES**

Name of Applicant: FrankGecker, LLP

Authorized to Provide Professional Services to: Frances Gecker, Chapter 7 Trustee of the Estate of MILAGROS PALLADINO

Date of Retention: October 7, 2015

Period for Which Compensation is Sought: October 7, 2015 through April 14, 2017

Amount of Fees Sought: \$7,114.00

Amount of Expense Reimbursement Sought: \$ 1.88

This is a: First and Final Application

The aggregate amount of fees and expenses *paid* to the Applicant to date for services rendered and expenses incurred herein is: \$0.00.

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**FIRST AND FINAL FEE APPLICATION OF FRANKGECKER LLP
AS COUNSEL TO FRANCES GECKER, CHAPTER 7 TRUSTEE OF THE
BANKRUPTCY ESTATE OF MILAGROS PALLADINO
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES**

FrankGecker LLP, counsel to Frances Gecker, the Chapter 7 Trustee (the “Trustee”), of the estate of MILAGROS PALLADINO, (the “Debtor”), hereby submits this first and final fee application (the “Application”) pursuant to 11 U.S.C. §330 for legal services performed and expenses incurred during the period of October 7, 2015 through April 14, 2017 (the “Application Period”), as counsel to the Trustee. In support of the Application, FrankGecker LLP respectfully represents as follows:

INTRODUCTION

1. On January 16, 2015, the Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the “Case”).
2. The Section 341 meeting of creditors was held on February 20, 2015, and the Trustee filed a No Asset Report on February 23, 2015. On April 27, 2015, the case was closed and the Trustee was discharged.

3. Prior to the Petition Date, on or about December 11, 2014, the Debtor filed a personal injury lawsuit in the Circuit Court of Cook County, Illinois, County Department, Law Division, styled *Milagros Palladino v. Vanguard Community Management, Inc. and Associations, Inc.*, Case No. 14 L 12860 (the “PI Case”).

4. The Debtor failed to disclose the PI Case to the Trustee while her case was open.

5. The Debtor was represented in the PI Case by Mark A. Heftman and the Law Office of Daniel E. Goodman (collectively, “Goodman”) pursuant to a one-third contingency agreement.

6. In August 2015, Mr. Heftman contacted the Trustee to inform her of the PI Case.

7. On September 16, 2015, the Trustee filed a motion to reopen the Case. On August 20, 2015, this Court entered an Order reopening the case and on September 25, 2015 the United States Trustee reappointed the Trustee.

8. On October 7, 2015, this Court entered an order authorizing the Trustee to employ Micah R. Krohn and the professionals of FrankGecker LLP (collectively, “FG”) as her counsel in the Case.

9. On October 7, 2015, this Court entered an order authorizing the Trustee to employ Goodman as her special counsel (“PI Counsel”) to prosecute the PI Case on the same contingency fee arrangement as Goodman previously had with the Debtor, i.e. one-third of the gross amount received from the PI Case.

10. PI Counsel prosecuted the PI Case through fact and expert discovery and engaged in arm’s length settlement discussions with defendants Vanguard Community Management, Inc. and Associations, Inc. (“Vanguard” and “Associations,” collectively, “Defendants”). In

consultation with the Trustee's PI Counsel, the Trustee agreed to settle the PI Case in exchange for a payment to the estate of \$55,000.00 (the "Settlement").

11. On December 20, 2016, the Court entered an order approving the Settlement.

12. This Application seeks allowance of all fees and expenses incurred by FG from October 7, 2015 through April 14, 2017. To aid the Court in its review of this Application, the Trustee's counsel has divided this Application into three parts. Part I describes the practical and legal issues encountered by the Trustee's counsel, and actions taken and results obtained by counsel. Part II describes the qualifications and areas of expertise of the Trustee's attorneys. Part III describes the manner in which fees and expenses were calculated by the Trustee's attorneys.

I. SERVICES PERFORMED

A. Administration \$258.00

FG spent .60 hours at a cost of \$258.00 on issues relating to the administration of the bankruptcy case including review of the docket and schedules of the bankruptcy case in regard to the exemptions claimed by the debtor.

B. Claims Review/Claims Objections \$2,092.00

FG spent 4.80 hours at a cost of \$2,092.00 on issues relating to reviewing and analyzing claims filed with the Bankruptcy Court, and communications with PI Counsel regarding medical lien claims.

C. Court Appearances \$966.00

FG spent **2.20** hours at a cost of **\$966.00** preparing for and attending hearings relating to the Trustee's motion to approve the PI Case settlement and hearing on the Trustee's final report and final fee application.

D. Personal Injury Settlement \$2,568.00

FG spent **6.40** hours at a cost of **\$2,568.00** in connection with the prosecution of the PI Case. FG conferred with the Trustee's PI Counsel regarding aspects of the case including the merits, the negotiation of medical lien claims and the negotiation of the Settlement. On December 20, 2016, the Court entered an order approving the Settlement.

E. Retention and Payment of Professionals \$1,230.00

FG spent 3.50 hours at a cost of \$1,230.00 drafting, filing, and appearing in court on the Trustee's motions to employ counsel and special counsel. Time in this category also includes preparation of FG's first and final fee application.

II. ATTORNEYS PROVIDING SERVICES FOR THIS ESTATE

Micah R. Krohn (MRK) is senior counsel at FG. Mr. Krohn graduated from the Cardozo School of Law in 1992 after serving as a Lieutenant in the United States Navy. Mr. Krohn served as a law clerk to the Hon. Erwin I. Katz from 1992-1994, and has represented trustees, creditors' committees, debtors and creditors for nearly 25 years.

James Nowak (JN) Mr. Nowak is a graduate of The John Marshall Law School where he was the Administrative Editor of The John Marshall Law Review. Mr. Nowak externed for the Honorable Chief Judge Bruce Black for the Bankruptcy Court for the Northern District of Illinois and for the Office of the United States Trustee. Mr. Nowak works closely with the senior

attorneys at FG on a variety of issues from trustee matters to the representation of secured and unsecured creditors.

Michael H. Matlock (MHM) is a bankruptcy paralegal at FrankGecker LLP. A graduate of the University of Oklahoma, Mr. Matlock has over 25 years of experience working in bankruptcy matters in debtor, creditor and trustee cases.

III. CALCULATION OF TIME AND FEES

13. This is the Trustee's first and final application for compensation and reimbursement of fees and expenses of FG. This fee application applies to fees and expenses incurred by FG from October 7, 2015 through and including April 14, 2017. All professional services for which compensation is requested herein, and all reimbursement for expenses incurred, have been for services directly related to the case and were rendered for the benefit of the Trustee and the Debtors' estate. No agreement or understanding exists between FG and any other person for the sharing of compensation received or to be received in connection with this case, other than as disclosed or authorized pursuant to 11 U.S.C. §§ 327, 328, 330 and 331.

14. As set forth in the attached exhibit, FG's attorneys and paralegal have spent a total of **17.50** hours providing necessary legal services for the Trustee. As a result, they request compensation in the amount of **\$7,114.00** for actual, necessary legal services performed (Exhibit A). The blended hourly rate is **\$345.00**. In addition, FG has expended the sum of **\$1.88** for actual necessary expenses incurred in representing the Trustee.

15. In preparing this fee application, FG has calculated the amount of time spent by each attorney and paralegal in performing actual, necessary legal services for the Trustee. The data used came directly from computer printouts of data which is kept by FrankGecker LLP on

each of its clients. The hourly rates charged are the regular hourly rates charged by the firm to its clients. FG worked to avoid any duplication of effort, and in instances where more than one attorney billed for a project, there was a need for multiple attorneys' involvement or the time of one of the attorneys was voluntarily written off.

16. To aid the Court in its review of this material, FG has prepared its time exhibits by topic as presented in the attached Exhibit A. The time entries cover all work performed by FG regardless of whether it was office conferences, telephone conferences, research or some other type of work.

17. FG does not bill its clients or seek compensation in this fee application for its overhead expenses, including word processing, computer research charges, fax charges, phone charges or secretarial overtime, instead, such expenses are factored into FG's normal and customary rate.

18. No compensation has been promised to FG, other than as disclosed or approved by this Court. FG certifies that there is no agreement between the firm and any other party regarding the sharing of fees except with the firm's partners, nor has the firm discussed or negotiated the amount of its fees with any party except the Trustee. Finally, FG represents that it is and remains a disinterested party and does not hold any relationship adverse to the estate.

WHEREFORE, FrankGecker LLP respectfully requests that this Court enter an Order:

A. Allowing FrankGecker LLP compensation for actual, necessary legal services in the amount of **\$7,114.00**;

B. Allowing FrankGecker LLP reimbursement of actual, necessary expenses in the amount of **\$1.88**; and

C. Authorizing the Trustee to pay FrankGecker LLP compensation and expense reimbursement in the total amount of **\$7,115.88**.

D. Granting such other relief as the Court deems just and equitable.

Dated: May 15, 2017

Respectfully submitted,

FRANKGECKER LLP,

By: /s/ Micah R. Krohn
One of its attorneys

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